

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

* * *

UNITED STATES OF AMERICA,)
) 2:02-CR-00674-PMP-LRL
Plaintiff,)
)
v.)
) ORDER
CHAO FAN XU, et al.,)
)
Defendants.)

Before the Court for consideration is the Report and Recommendation (Doc. #402) entered January 23, 2008, by the Honorable Lawrence R. Leavitt, United States Magistrate Judge, recommending denial of Defendant Xu Guo Jun's Motion to Dismiss Second Superseding Indictment Counts Barred by Statute, U.S.C. Title 18 Chapter 213 (Doc. #315) filed October 26, 2007, and Defendant Ying Yi Yu's Notice of Joinder in Defendant Xu Guo Jun's Motion to Dismiss Second Superseding Indictment Counts Barred by Statute, U.S.C. Title 18 Chapter 213 (Doc. #328) filed November 9, 2007.


The Court has conducted a de novo review of the record in this case in accordance with 28 U.S.C. § 636(b)(1)(B) and Local Rule IB 3-2 and determines that Magistrate Judge Leavitt's Report of Findings and Recommendation (Doc. #402) should be Affirmed.

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1 **IT IS THEREFORE ORDERED** that Magistrate Judge Lawrence R. Leavitt's,
2 Report and Recommendation (Doc. #402) entered January 23, 2008, is hereby **AFFIRMED**.

3 **IT IS FURTHER ORDERED** that Defendant Xu Guo Jun's Motion to Dismiss
4 Second Superseding Indictment Counts Barred by Statute, U.S.C. Title 18 Chapter 213
5 (Doc. #315) and Defendant Ying Yi Yu's Notice of Joinder in Defendant Xu Guo Jun's
6 Motion to Dismiss Second Superseding Indictment Counts Barred by Statute, U.S.C. Title
7 18 Chapter 213 (Doc. #328) are **DENIED**.

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9 DATED: April 10, 2008.

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12 PHILIP M. PRO
13 United States District Judge
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